

DELTA PROTECTION COMMISSION
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Supervisors*

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*Business, Transportation and
Housing*

*Department of Food and
Agriculture*

Natural Resources Agency

State Lands Commission

January 21, 2011

Honorable Member of the Assembly
California State Assembly
State Capitol, Room 5158
Sacramento, CA. 95814

Dear Assembly Member:

SUBJECT: Delta Protection Commission Update on Primary Zone Study

Pursuant to the provisions of Senate Bill X7-1 (SB X7-1) the Delta Protection Commission (Commission) has been given the task of preparing a recommendation regarding the potential expansion of, or, change to the Primary Zone or the Delta. The Commission is providing herein an update on the status of this task.

Immediately upon the enactment of SB X7-1 in February 2010, the Commission appointed a Primary Zone Study Committee (Committee) to oversee the completion of a Primary Zone Study (Study) and the development of a recommendation. The committee is comprised of Commission Members Gregg Albright, Christopher Cabaldon, Robert Ferguson, David Pegos, Mary Piepho, Larry Ruhstaller and Jan Vick. Having committed to monthly meetings in order to give the task utmost priority, the Committee immediately developed a framework to guide the process to completion in a timely manner with the intent of fully meeting the mandates of the legislation.

At the December 16, 2010 Commission meeting, project consultants presented the Commission with the Study's final report and executive summary. Following this presentation was discussion by Commission members of the Economic Sustainability Plan (ESP) which the Commission is in the process of preparing as mandated by SB X7-1. The ESP is a plan to address the on-going sustainability of the Delta economy – which includes the Legacy Towns. The process of developing the ESP will by definition have to consider the current and long term impacts of the Primary and Secondary Zones on economic sustainability.

It is expected that the ESP will discuss and make recommendations regarding the Primary and Secondary Zones as it relates to economic sustainability of the Delta; therefore, the Commission accepted the final report, but deferred making recommendations for changes to the Primary and/or Secondary Zones pending completion of the Economic Sustainability Plan.

Honorable Member of the Assembly
January 21, 2011
Page Two

Attached is the Executive Summary of the Delta Protection Commission's Primary Zone Study Final Report, the full report can be accessed online at www.delta.ca.gov. You may also request a hardcopy of the full report by contacting the commission at the number below.

Thank you for the opportunity to provide this update. Any questions pertaining to the Study or information provided herein can be directed to me as Chair of the Commission or to Michael Machado, Executive Director at (916) 776-2290 or michael.machado@delta.ca.gov.

Sincerely,



Don Nottoli
Chair

Attachment: Final Report

cc: **Members, Delta Stewardship Council**
Members, Delta Conservancy
Secretary, California Natural Resources Agency
Members, Delta Protection Commission
Executive Director, Delta Protection Commission



Executive Summary

Study Purpose

Senate Bill X7 1 directs the Delta Protection Commission to prepare and submit to the Legislature recommendations regarding the potential expansion of or change to the Primary Zone or the Delta, including recommendations on the status of: Rio Vista, Isleton, Bethel Island, Brannan-Andrus Island, Cosumnes/Mokelumne Floodway, and the San Joaquin/South Delta Study Area. The Primary Zone Study has been prepared to provide the Delta Protection Commission with the analytical framework for developing recommendations for the Legislature.

One of the basic objectives of the Delta Protection Act of 1992 is to protect, maintain, enhance and restore the key agricultural, wildlife, and recreational resources of the Delta. This objective provides the basic framework for assessing the resource characteristics within the legal Delta and their contribution to the Delta's unique character. The Delta Protection Commission is also directed by Senate Bill X7 1 to consider and plan for the economic sustainability of the Sacramento San Joaquin Delta and to consider the Delta as a Place.

The key purpose of the Primary Zone Study has been to define those areas of the Delta that contain the unique agricultural, recreational, wildlife and cultural resources that are clearly representative of the Delta. Defining these uniquely Delta areas provides the bases for the recommendations to be submitted to the Legislature regarding the potential expansion of or change to the Primary Zone or the Delta.

Study Approach

As stated above, a basic objective of the Delta Protection Act includes protecting the key agricultural, wildlife, and recreational resources of the Delta and this objective was a driving force in developing the approach to preparing the Primary Zone Study.

The first task of the consultant team in defining the study approach was to delineate the study area boundaries. Because little direction was provided in the legislation, the consultant team researched the legislative intent and the origins of the six identified study areas. The consultant team determined that the Delta Vision document prepared by the Governor's Blue Ribbon Task Force on January 29, 2008 provided some geographic context for the six study areas. Based on geographic descriptions included in the Delta Vision document, the consultant team prepared preliminary study area boundary maps and worked with the Primary Zone Study Committee to refine the map boundaries. Based on input provided by the Committee and interested community members, the Committee's understanding of the intent of the Delta Protection Act as it applies to the Primary Zone, and the expertise of the consultant team, the Committee and consultant team developed the appropriate boundaries for the study areas. Final maps were prepared by the consultant team and were submitted to and adopted by the Delta Protection Commission.

In order to evaluate the six study areas, the consultant team collected extensive data regarding the unique characteristics and resources within each study area. To be able to present this data in a usable form to the Committee, the consultant team proposed the use of an Analysis Matrix to analytically evaluate data within individual study areas. The Analysis Matrix provides a visual representation of the resource characteristics of each individual study area. Due to the unique character and diversity of the Cosumnes/Mokelumne River Study Area, it was divided into three separate areas in the Analysis Matrix.

The Committee identified the key evaluation criteria to be used by the consultant team in developing the Analysis Matrix. The consultant team refined these criteria based on their ability to provide useful information and feedback related to potential boundary line adjustments. These evaluation criteria are described in detail in Chapter 5 of this Study. The Analysis Matrices for each study area are also included in Chapter 5.

The consultant team initially considered ranking the criteria according to a fairly subjective assessment of whether the criteria had a low, medium or high compatibility with the Delta resource protection objectives of preserving and enhancing agriculture, recreation, wildlife, and the Delta as a place. However, based on direction provided by the Committee and input from community members, the consultant team revised the analysis approach in order to incorporate a more objective methodology. For each criteria evaluated, the Analysis Matrix identifies whether the resource criteria is applicable to the study area or not, based on the objective definitions of the criteria.

Once the Analysis Matrices for each study area were completed, the consultant team assessed the results. For each study area, the consultant team determined whether the majority of the resource criteria were supportive of the Delta resource protection objectives of preserving and enhancing agriculture, recreation, wildlife, and the Delta as a place. If the preponderance of the evidence suggested that the individual study areas were supportive of the identified Delta resource protection objectives as defined by the evaluation criteria, a recommendation was developed to include that study area within the Primary Zone. However, if the preponderance of the evidence did not suggest that the individual study areas were supportive of the identified Delta resource protection objectives, a recommendation was developed to keep the study area within the Secondary Zone. The specific recommendations for each study area are identified in detail below.

Summary of Community Meetings

The Delta Protection Committee made clear during the preparation of the Primary Zone Study that community outreach would be a critical component of the process. Based on their commitment to get input from the people that would be directly affected by any changes in boundaries within the Delta, the Committee held two community workshops to discuss the Primary Zone Study immediately following the hiring of a consultant. These included two community workshops held in Courtland and Isleton on June 22 and 23, 2010, respectively. Interviews were also conducted with local government representatives for each of the five Delta Counties, with community groups and with private individuals within the Primary Zone Study boundaries. In addition, the monthly meetings held by the Committee were open to the public and the minutes from all of these meetings are included on the Delta Protection Commission's website.

The Delta Protection Commission and consultant team held three additional Community Meetings to present the results of the Delta Primary Zone Study. Meetings were held on November 3 at the Brentwood Senior Activity Center, November 4 at the Thornton Community Hall, and November 9 at the Rio Vista City Hall.

Approximately 20 community members were in attendance at each meeting, as well as representatives from the Delta Protection Commission.

The community members were presented seven maps delineating the overall Delta area and the six study areas. At each meeting, an introduction was provided by Mike Machado, Executive Director of the Delta Protection Commission. The consultant team presented an overview of the study and the proposed recommendations for each area. The consultants then asked participants for their questions and comments. In addition, the participants were offered comment cards and were provided a phone number for follow-up questions and comments.

A number of the community members attended the meeting due to an interest in water diversion projects being proposed by the State and were concerned that the Primary Zone Study was connection with the State's proposed water diversion activities.

Primary Zone Study Recommendations

The analysis conducted in preparing the Primary Zone Study resulted in specific recommendations regarding boundary line adjustments within the Delta. These recommendations are based on the geographic and planning criteria that were integrated into the Analysis Matrices and objective interpretations of these criteria by the consultant team. Therefore, these recommendations are presented from a planning perspective and are not intended to incorporate the broad range of issues and considerations that need to be considered by the Delta Protection Commission in submitting recommendations to the Legislature. The consultant team's recommendations are as follows:

Recommendation #1 – Redesignate the following study areas within the Secondary Zone as Primary Zone: Cosumnes/Mokelumne River Central, Bethel Island and Andrus/Brannan Island.

Recommendation #2 - Maintain the Secondary Zone designation for the following study areas: Cosumnes/Mokelumne River North, Cosumnes/Mokelumne River South, Isleton, and San Joaquin River/South Delta.

Recommendation #3 – Designate the Primary Zone area within the City of Rio Vista as Secondary Zone.

These recommendations were submitted to the Delta Primary Zone Committee on November 22, 2010 for their consideration. At this meeting, the Committee agreed to forward these recommendations to the Delta Protection Commission for their consideration on December 16, 2010. The Committee also requested that information regarding the Rio Vista Study Area be forwarded to the Delta Protection Commission for consideration. This information is described below.

In a letter submitted to the Delta Protection Commission on July 21, 2010, the City of Rio Vista requested that the Primary Zone Study Committee consider expanding the boundary of the legal Delta to include the boundaries of the entire City and that the entire City be included within the Secondary Zone. Although the proposed expansion of the legal Delta to accommodate the City's request is not included as one of the consultant team's recommendations, this request is within the scope of Senate Bill X7 1 and is appropriate for the Delta Protection Commission to consider in their development of recommendations for the Legislature.